REMARKS/ARGUMENTS

Claims 1, 3-12 and 14-20 are pending. Claims 2 and 13 were previously cancelled. No admission or representation is made by the present argument other than that explicitly provided herein.

Claim Rejections - 35 USC 103

Claims 1, 3-12 and 14-20 stand rejected under 35 U.S.C. 103(a) having regard to Martinez (U.S. Patent Publication No. 2002/0142792, hereinafter "Martinez") in view of Parker et al. (U.S. Patent Publication No. 2002/0116541, hereinafter "Parker") and further in view of Moton Jr. et al., (U.S. Patent No. 7,116,977, hereinafter "Moton"). The Applicant respectfully disagrees for at least the reasons provided below.

Independent claims 1, 10 and 20 are directed to a method, a device and a computer program product, respectively, for controlling notification of events in a mobile device. The mobile device is capable of comparing time and location parameters to the current time and location, the location being determined using at least one of a cellular base station of a Global Positioning System (GPS). A first notification profile is activated, the profile comprising a first set of notification control options. A switch condition is defined by directly specifying at least one of the time and the location parameters. When the defined switch condition is satisfied, the device switches to a second notification profile comprising a second set of notification control options. The first and second notification profiles each define respective notification control options that control the notification of events generated by event generating and handling components. Each event is generated by a respective event generating and handling component, and the notification profiles each define notification control options controlling how notifications for events generated by at least two different event generating and handling components on the mobile device are provided. The event generating and handling components include at least two of an alarm, a calendar, email, phone and SMS.

Combination of Martinez with Parker is unsuitable

The Office Action admits that Martinez fails to teach "wherein the event generating and handling components on the mobile device include an alarm, a calendar, email and SMS", and relies on Parker to teach this feature. The Office Action alleges that it would have been obvious to one of ordinary skill in the art to combine the teachings of Parker with the system of Martinez for the benefit of achieving a notification system that each profile may be configured to provide different types of notifications for a plurality of different notification-type events, citing paragraph [0020] of Parker. The Applicant respectfully disagrees.

Martinez discloses a method and apparatus for automated selection of user preference information for controlling the operation of a cellular telephone. In paragraphs [0021]-[0026], Martinez discloses a method of automating cellular telephone settings based on certain trigger conditions. Notably, Martinez deals only with a cellular telephone, and the settings being selected pertain only to a cellular telephone. Martinez does not teach or suggest any additional component aside from a cellular telephone. Martinez is concerned only with <u>one</u> event generating and handling component - namely a phone. A phone is only one of at least two event generating and handling components required by the present claims.

It would not be obvious to one skilled in the art to modify Martinez with Parker. As explained above, Martinez is concerned with a device that has <u>only one event generating and handling component</u> - namely a phone. There is no other event generating and handling component and hence no other source of notifications. In order to arrive at a profile that controls notification of at least two event generating and handling component, including an alarm, a calendar, email and SMS, it would be necessary for the device of Martinez to, at the very least, support such components. This is not the case.

The Office Action alleges that it would have been obvious to one of ordinary skill in the art to combine the teachings of Parker with the system of Martinez for the benefit of achieving a notification system that each profile may be configured to provide different types of notifications for a plurality of different notification-type events, as described in paragraph [0020] of Parker. However, as explained above, Martinez only has one event generating and handling component and therefore there is no motivation for a person skilled in the art to modify Martinez to include a profile configured to provide different types of notifications for different notification-type events, as the Office Action suggests. The inherent deficiency of Martinez - that only one event generating and handling component is taught - makes the combination meaningless. Hence, the combination of Martinez with Parker is unsuitable for at least this reason, and is an improper basis for a rejection under 35 U.S.C. 103(a).

Even if attempted, which a person skilled in the art would not do, such a modification would, at best, provide Martinez with a profile that governs how different types of notifications (e.g., high priority or low priority) from the single phone component are provided, but still would not result in the claimed feature of notification profiles "each defining notification control options controlling how notifications for events generated by at least two different event generating and handling components on the mobile device are provided" (emphasis added). The inherent nature and principle of operation of the device taught by Martinez, which is contrary to the claimed subject matter, cannot be changed by the suggested combination and does not achieve the alleged result.

Thus, the Applicant submits that the combination of Martinez with Parker is unsuitable, and even if attempted would not achieve the alleged result. The Examiner is respectfully asked to withdraw this rejection.

Combination with Moton does not improve unsuitability of Martinez and Parker

The Office Action admits that the combination of Martinez and Parker fails to disclose the feature that the current location is determined using at least one of a cellular

base station or a Global Positioning System (GPS). Moton is relied upon to remedy this deficiency. The Office Action alleges that it would have been obvious to a person of ordinary skill in the art to combine the teaching of Moton with Martinez and Parker for the benefit of achieving a system that includes GPS and GIS systems to provide redundancy, accuracy and reliability. The Applicant respectfully disagrees.

As explained above, Martinez is only concerned with a device having a single event generating and handling component - namely, a phone - and hence the combination with Parker is unsuitable. Moton similarly is only concerned with wireless telephones - again, devices having only one event generating and handling component. There is nothing in Moton that would change the unsuitability of the combination of Martinez and Parker. Since the combination of Martinez and Parker is already unsuitable, the addition of Moton would be further unsuitable, and in fact further highlights the lack of motivation to combine with Parker.

As such, the Applicant submits that the combination of Martinez, Parker and Moton is unsuitable, for at least the above reasons. The Examiner is respectfully asked to withdraw this rejection.

Conclusion

It is believed that the Applicant has responded to each ground of rejection raised by the Examiner, and that the claims, as presented, are in condition for immediate allowance. Favourable reconsideration and allowance of the application are respectfully requested. Should the Examiner have any questions in connection with the Applicant's submissions, please contact the undersigned.

If any extension of time under 37 C.F.R. 1.136 is required to obtain entry of this response, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. 1.136, please charge such fees to our Deposit Account No. 195113.

Respectfully submitted,

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